

Attorney Envelope No. 970113R/HG

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant(s) : Tomio KIMURA et al
Serial No. : 09/678,218
Filed : 29 Sep 2000
Art Unit : 1613

**2nd REQUEST FOR CORRECTED
FILING RECEIPT**

Assistant Commissioner for Patents

ATTN: APPLICATIONS BRANCH

Sir:

Please issue a corrected Filing Receipt correcting
the errors indicated in red on the accompanying copy.

Please also correct the Patent Office records.

Under Applicant(s), (second inventor), change
"Hiratsuka" to --Chigasaki-shi--; and in the fifth position,
insert --Shigeru Ushiyama, Tokyo, Japan--.

See the Reissue Declaration filed January 5, 2001
(copy enclosed) in response to the NOTICE TO FILE MISSING
PARTS. See also the REQUEST FOR CORRECTED FILING RECEIPT
(copy enclosed) filed concomitantly therewith.

Frishauf, Holtz, Goodman,
Langer & Chick, P.C.
767 Third Avenue - 25th Fl.
New York, N.Y. 10017-2023
Tel (212) 319-4900
Fax (212) 319-5101
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date noted below.

Herbert Goodman
Attorney: Herbert Goodman

Dated: February 9, 2001

Respectfully submitted,

Herbert Goodman
Herbert Goodman
Reg.No. 17,081



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Page 1 of 4

MAY 22 2001

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UNITED STATES PATENT AND TRADEMARK OFFICE

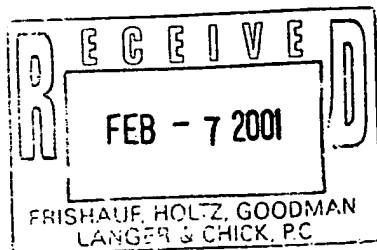
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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/678,218	09/29/2000	1613	820	970113R/HG		41	1

001933

FRISHAUF, HOLTZ, GOODMAN &
LANGER & CHICK, PC
767 THIRD AVENUE
25TH AVE
NEW YORK, NY 10017-2023

FILING RECEIPT



OC000000005728361

Date Mailed: 02/02/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tomio Kimura, Tokyo, JAPAN;
Yasuo Noguchi, ~~Hirotsuka~~ JAPAN;
Akira Nakao, Tokyo, JAPAN;
Keisuke Suzuki, Tokyo, JAPAN;
Akihiro Kawara, Yokohama, JAPAN;
Masaaki Miyamoto, Fujisawa, JAPAN;

CHIGASAKI-shi,

Shigero Ushiyama, Tokyo, Japan

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A REI OF 08/824,775 03/26/1997 PAT 5,908,858

Foreign Applications

JAPAN HEI 08-083562 04/05/1996

If Required, Foreign Filing License Granted 11/04/2000

Title

1,2-Diphenylpyrrole derivatives, their preparation and their therapeutic uses

Preliminary Class

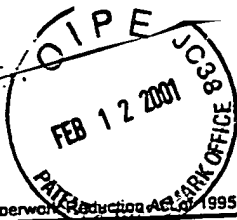
514

Data entry by : RAWLS, ROXANNE

Team : OIPE

Date: 02/02/2001

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1



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REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
970113R/RECH CENTER 1600/2900

COPY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 5,908,858, granted June 1, 1999, and for which areissue patent is sought on the invention entitled 1,2-DIPHENYLPYRROLE DERIVATIVES,
THEIR PREPARATION AND THEIR THERAPEUTIC USES

the specification of which

☐ is attached hereto.☒ was filed on Sept. 29, 2000 as reissue application number 09 / 678,218
and was amended on _____
(If applicable)I have reviewed and understand the contents of the above identified specification, including the claims,
as amended by any amendment referred to above.I acknowledge the duty to disclose information which is material to patentability as defined in
37 CFR 1.56.I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described
below. (Check all boxes that apply.)☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.At least one error upon which reissue is based is described below. If the reissue is a broadening
reissue, such must be stated with an explanation as to the nature of the broadening:

An error upon which reissue is based is that the patentees claimed more than they had a right to claim in the patent. One such error is that certain of the original patent claims, namely claims which specified compounds wherein R¹ may be -NHR⁶ (which are prodrugs) or specified compositions or specified methods utilizing said specified compounds, included subject matter within their scope which might be within the scope of subject matter claimed in Patent No. 5,932,598. In the reissue application as filed the claims are amended to delete said compounds wherein R¹ may be -NHR⁶ or a species thereof.

[Page 1 of 3]

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
970113R/EG

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Leonard Holtz, Reg. No. 22,974; Herbert Goodman, Reg. No. 17,081; Thomas Langer, Reg. No. 27,264; Marshall J. Chick, Reg. No. 26,853; Richard S. Barth, Reg. No. 28,180; Douglas Holtz, Reg. No. 33,902; and Robert P. Michal, Reg. No. 35,614.

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

01933

Type Customer Number here

Place Customer Number Bar
Code Label here
☒ Firm or
Individual Name

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.

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State

NY

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10017-2023

Country

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)
Tomio KIMURA

Inventor's signature

Tomio Kimura

Date December 5, 2000

Residence Nerima-ku, Tokyo, Japan

Citizenship Japan

Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku,
Tokyo, Japan

Full name of second joint inventor (given name, family name)
Yasuo NOGUCHI

Inventor's signature

Yasuo Noguchi

Date December 8, 2000

Residence Chigasaki-shi, Kanagawa, Japan

Citizenship Japan

Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku,
Tokyo, Japan

Full name of third joint inventor (given name, family name)
Akira NAKAO

Inventor's signature

Akira Nakao

Date December 5, 2000

Residence Edogawa-ku, Tokyo, Japan

Citizenship Japan

Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku,
Tokyo, Japan

☒ Additional joint inventors are named on separately numbered sheets attached hereto.

COPY

Full name of fourth joint inventor (given name, family name) Keisuke SUZUKI	
Inventor's signature <i>Keisuke Suzuki</i>	Date December 5, 2000
Residence Setagaya-ku, Tokyo, Japan	Citizenship Japan
Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku, Tokyo, Japan	
Full name of fifth joint inventor (given name, family name) Shigeru USHIYAMA	
Inventor's signature <i>Shigeru Ushiyama</i>	Date December 4, 2000
Residence Shinagawa-ku, Tokyo, Japan	Citizenship Japan
Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku, Tokyo, Japan	
Full name of sixth joint inventor (given name, family name) Akihiro KAWARA	
Inventor's signature <i>Akihiro Kawara</i>	Date December 15, 2000
Residence Yokohama-shi, Kanagawa, Japan	Citizenship Japan
Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku, Tokyo, Japan	
Full name of seventh joint inventor (given name, family name) Masaaki MIYAMOTO	
Inventor's signature <i>Masaaki Miyamoto</i>	Date December 4, 2000
Residence <i>Fujisawa City, Kanagawa, Japan</i>	Citizenship Japan
Mailing Address c/o SANKYO CO., LTD., 2-58, Hiromachi 1-chome, Shinagawa-ku, Tokyo, Japan	

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Attorney Docket No. 970113R/HG

**IN THE UNITED STATES PATENT
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Applicant(s): Tomio KIMURA et al
Serial No. : 09/678,218
Filed : September 29, 2000
For : 1,2-DIPHENYLPYRROLE
DERIVATIVES, THEIR
PREPARATION AND
THEIR THERAPEUTIC USES
Art Unit : 1613

REQUEST FOR CORRECTED FILING RECEIPT


Assistant Commissioner for Patents
S I R :

ATTENTION: CUSTOMER SERVICE CENTER

The official Filing Receipt contains an error. It only identifies six of the seven inventors of the above-identified application. It does not identify **Shigeru Ushiyama, Tokyo, Japan**. Attached hereto is a copy of the official Filing Receipt showing the requested correction in red.

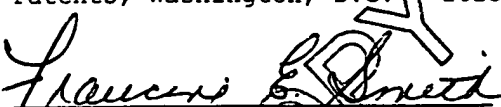
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Respectfully submitted,


HERBERT GOODMAN
Reg. No. 17,081

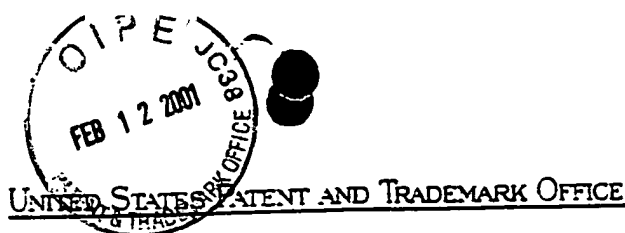
Frishauf, Holtz, Goodman,
Langer & Chick, P.C.
767 Third Avenue - 25th Floor
New York, NY 10017-2023
Telephone: (212) 319-4900
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Francine E. Smith

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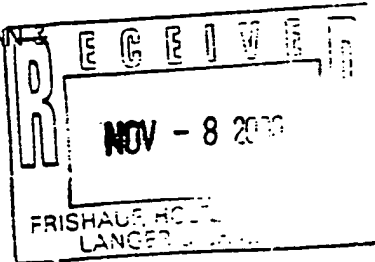
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/678,218	09/29/2000	1613	690	970113R/HG		41	1

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 FRISHAUF, HOLTZ, GOODMAN &
 LANGER & CHICK, PC
 767 THIRD AVENUE
 25TH AVE
 NEW YORK, NY 10017-2023


FILING RECEIPT



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Date Mailed: 11/06/2000

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 Akira Nakao, Tokyo, JAPAN;
 Keisuke Suzuki, Tokyo, JAPAN;
 Akihiro Kawara, Yokohama, JAPAN;
 Masaaki Miyamoto, Fujisawa, JAPAN;

SHIGERU USHIYAMA, Tokyo, JAPAN;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A REI OF 08/824,775 03/26/1997 PAT 5,908,858

Foreign Applications

JAPAN HEI 08-083562 04/05/1996

If Required, Foreign Filing License Granted 11/04/2000

COPY

Title

1,2-Diphenylpyrrole derivatives, their preparation and their therapeutic uses

Preliminary Class

514

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Bib Data Sheet

CONFIRMATION NO. 7523

SERIAL NUMBER 09/678,218	FILING DATE 09/29/2000 RULE	CLASS 514	GROUP ART UNIT 1613	ATTORNEY DOCKET NO. 970113R/HG
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APPLICANTS
 Tomio Kimura, Tokyo, JAPAN;
 Yasuo Noguchi, Chigasaki-shi, JAPAN;
 Akira Nakao, Tokyo, JAPAN;
 Keisuke Suzuki, Tokyo, JAPAN;
 Shigeru Ushiyama, Tokyo, JAPAN;
 Akihiro Kawara, Yokohama, JAPAN;
 Masaaki Miyamoto, Fujisawa, JAPAN;

**** CONTINUING DATA *******
 THIS APPLICATION IS A REI OF 08/824,775 03/26/1997 PAT 5,908,858

**** FOREIGN APPLICATIONS *******
 JAPAN HEI 08-083562 04/05/1996

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 11/04/2000

Foreign Priority claimed 35 USC 119 (a-d) conditions met	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance	STATE OR COUNTRY JAPAN	SHEETS DRAWING	TOTAL CLAIMS 41	INDEPENDENT CLAIMS 1
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Verified and Acknowledged *[Signature]* Examiner's Signature Initials

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TITLE
1,2-Diphenylpyrrole derivatives, their preparation and their therapeutic uses

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